

REMARKS

In the instant application, new claims 18-44 have been added. As such, claims 1-44 are now pending.

Claims 1-17 stand rejected under 35 U.S.C. § 102(b) as being anticipated US Patent No. 4,472,479 to Hayes et al. Hayes discloses fluorescent printing ribbons having a first layer of wax and fluorescent resin and a second layer of material including reflective pigments which serve as a barrier preventing penetration of incident light into the substrate upon imprintation of the ribbon to the substrate. *See Hayes column 4, lines 9-14*. When the ribbon of Hayes is imprinted on a substrate, the layer including the barrier pigments contacts the substrate and the layer including the fluorescent material is not in direct contact with the substrate but rather is separated from the substrate by the barrier pigment layer. *See Hayes column 3, lines 16-19*. When comparing the ribbon of Hayes with the coating of the instant invention, the Office Action appears to equate the barrier pigment layer of Hayes which includes reflective pigments with the coating layer including light absorbing pigments of the present invention. Applicant respectfully disagrees that such a comparison can be made.

Hayes does not teach or suggest a coating as recited in the instant claims including an upper layer having colorants which emit fluorescent light and a lower layer having light absorbing particles. Further, Hayes does not teach or suggest a coating that exhibits a first colored appearance and/or a second colored appearance that is dependent on the exposure of the light level on the coating. Nowhere in Hayes does it teach or suggest the inclusion of light absorbing particles in the ribbon. In fact, Hayes depends on the use of reflective pigments in the barrier pigment portion to reflect light back through fluorescent resin portion so that the emission of light from the ribbon on light colored paper is the same as the emission from dark colored paper. *See Hayes column 4, lines 9-21*. Nowhere in the reference is it suggested to use light absorbing pigments since light absorbing pigments would not create uniform emissions from the imprinted paper. In contrast, the light absorbing pigments would produce an almost opposite result. Moreover, Hayes is concerned with creating uniform emissions regardless of the color of paper the ribbon is imprinted on or the intensity of the incident light so that the fluorescent light emitted from the ribbon can be read electronically for

coding documents. For instance, in a situation of low level incident light, if the light is not reflected by the reflective pigments (as would be in the case of employing a light absorbing pigment) in the barrier layer there will not be enough light reflected back through the

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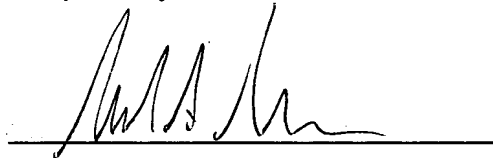
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fluorescent portion of the ribbon to cause the fluorescent resin to emit enough fluorescent light to be read by the optical reader. In this case, light absorbing particles cannot be used in the ribbon of Hayes and, for that matter, are not taught. Further, because the barrier portion of the ribbon reflects incident light back through the fluorescent resin portion regardless of the intensity of the incident light, the ribbon cannot exhibit a first color appearance and/or second color appearance that is dependent on the intensity of the incident light. The teaching of Hayes is to always have fluorescent light emission from the ribbon that is detectable by the optical reader. As such, the ribbon will always have the same color appearance regardless of the level of incident light. Therefore, Hayes does not teach or suggest the features of the instant claims.

Based on the foregoing, Hayes does not anticipate the claims of the instant application. Withdrawal of the rejection is respectfully requested.

New claims 18-44 are based on the allowable subject matter as indicated in the Office Action. Allowance of these claims is respectfully requested.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Michael A. Miller', is written over a horizontal line.

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